

## Article - Transportation

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§16–208.

(a) (1) Except as provided in paragraph (2) of this subsection, §§ 16–205(d–1) and 16–206(a)(4), (b), and (c) of this subtitle, § 16–404(c)(2) and (3) of this title, and § 3–8A–23 of the Courts and Judicial Proceedings Article, the Administration may not suspend a license or privilege to drive for a period of more than 1 year.

(2) After notice and hearing, the Administration may suspend for an indefinite period the license or privilege of any individual who cannot drive safely because of his physical or mental condition.

(3) This subsection does not apply to or affect the suspension of any license:

(i) For failure to comply with the required security provisions of Title 17 of this article;

(ii) For failure to appear at a hearing as provided in Title 12, Subtitle 2 of this article;

(iii) For failure to obey a citation, as provided in Title 26 of this article;

(iv) For failure to pay a fine in accordance with the court's directive as provided in Title 27 of this article; or

(v) For failure to pay child support, as provided in § 16–203 of this subtitle.

(b) (1) Any individual whose license or privilege to drive has been revoked may apply for reinstatement of the individual's license or privilege as provided in this subsection.

(2) (i) If it is the individual's first revocation, the individual may file a reinstatement application at any time after the day the revoked license is surrendered to and received by the Administration or, in the case of an individual who does not have a license issued under this title, after the effective date of the revocation.

(ii) Except as provided in paragraph (6) of this subsection, on receipt of the application, the Administration may reinstate the license or privilege 6 months after the revoked license is received by the Administration or, in the case of an individual who does not have a license issued under this title, 6 months after the effective date of revocation.

(3) (i) If it is the individual's second revocation, the individual may file a reinstatement application at any time after 1 year from the day the revoked license is surrendered to and received by the Administration or, in the case of an individual

who does not have a license issued under this title, after 1 year from the effective date of revocation.

(ii) Except as provided in paragraph (6) of this subsection, on receipt of the application, the Administration may reinstate the license or privilege.

(4) (i) If it is the individual's third revocation, the individual may file a reinstatement application at any time after 18 months from the day the revoked license is surrendered to and received by the Administration or, in the case of an individual who does not have a license issued under this title, after 18 months from the effective date of revocation.

(ii) Except as provided in paragraph (6) of this subsection, on receipt of the application, the Administration may reinstate the license or privilege.

(5) (i) If it is the individual's fourth or subsequent revocation, the individual may file a reinstatement application at any time after 2 years from the day the revoked license is surrendered to and received by the Administration or, in the case of an individual who does not have a license issued under this title, after 2 years from the effective date of revocation.

(ii) Except as provided in paragraph (6) of this subsection, on receipt of the application, the Administration may reinstate the license or privilege.

(6) (i) The Administration may not reinstate a license or privilege to drive under this subsection if the license or privilege has been refused, revoked, suspended, or canceled under any other provision of the Maryland Vehicle Law.

(ii) 1. In this subparagraph, "alcohol-related or drug-related driving incident" means a:

A. Conviction or probation before judgment for a violation of § 21-902(a), (b), (c), or (d) of this article or a substantially similar law of another jurisdiction;

B. Refusal to submit to a test under § 16-205.1 of this subtitle or a substantially similar law of another jurisdiction; or

C. Test result that indicates an alcohol concentration of 0.10 or more at the time of testing under § 16-205.1 of this subtitle or a substantially similar law of another jurisdiction.

2. Alcohol-related or drug-related driving incidents committed at the same time or arising out of the same circumstances may not be considered separate alcohol-related or drug-related driving incidents for the purpose of this subparagraph.

3. Notwithstanding paragraphs (1) through (5) of this

subsection, the Administration may reinstate a license or privilege to drive only if, after an investigation of an individual's habits and driving ability, the Administration is satisfied it will be safe to reinstate the license or privilege of an individual who has been:

A. Involved in any combination of three or more separate alcohol-related or drug-related driving incidents;

B. Involved in a vehicular accident resulting in the death of another person; or

C. Convicted of a violation for failing to stop after a vehicular accident resulting in bodily injury or death.

(7) Except as otherwise provided in this title, before issuing a new license, the Administration shall require the applicant to submit to the examinations that it considers appropriate.

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